

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: OCT 19 2012

UNITED STATES OF AMERICA

: SEALED INDICTMENT

- v. -

: 12 Cr. _____

REZA OLANGIAN,
a/k/a "Raymond Avancian,"
a/k/a "Ray,"

: 12 CRIM 798

Defendant.

:

-----X

COUNT ONE

(Conspiracy To Acquire And Transfer Anti-Aircraft Missiles)

The Grand Jury charges:

1. From at least in or about May 2012, up to and including in or about October 2012, in an offense begun and committed outside of the jurisdiction of any particular State or district of the United States, REZA OLANGIAN, a/k/a "Raymond Avancian," a/k/a "Ray," the defendant, who will be first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate and agree together and with each other to violate Section 2332g of Title 18, United States Code.

2. It was a part and an object of the conspiracy that REZA OLANGIAN, a/k/a "Raymond Avancian," a/k/a "Ray," the defendant, a United States national, and others known and unknown, knowingly and willfully would and did produce, construct, otherwise acquire, transfer directly and indirectly,

receive, possess, import, and use (1) an explosive and incendiary rocket and missile that is guided by any system designed to enable the rocket or missile to seek and proceed toward energy radiated and reflected from an aircraft and toward an image locating an aircraft, and otherwise direct and guide the rocket and missile to an aircraft; (2) a device designed and intended to launch and guide said rocket and missile; and (3) a part and combination of parts designed and redesigned for use in assembling and fabricating said rocket, missile, and device; to wit, OLANGIAN agreed to acquire and transfer surface-to-air missile systems for the purpose of conveying them to Iran, in violation of Title 18, United States Code, Section 2332g.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, REZA OLANGIAN, a/k/a "Raymond Avancian," a/k/a "Ray," the defendant, and others known and unknown, committed the following overt acts, among others:

a. On or about August 17, 2012, OLANGIAN, who was then in Iran, participated in a live videoconference with a confidential source acting at the direction of the United States Drug Enforcement Administration ("DEA") and purporting to be a weapons and aircraft broker (the "CS"), during which conference OLANGIAN and the CS discussed, among other things, the sale to OLANGIAN of Igla-S missile systems, and the CS showed OLGANIAN an

IGLA-S missile system, which OLANGIAN inspected.

b. On or about August 25, 2012, OLANGIAN and the CS spoke by telephone and discussed, among other things, details regarding the inspection of the IGLA-S missile systems requested by OLANGIAN and the prices and method of payment for those items.

c. On or about September 6, 2012, OLANGIAN sent an e-mail to the CS, asking the CS, among other things, to send OLANGIAN a photograph of the IGLA-S missile that the CS had displayed during the August 17, 2012 teleconference, as described in subparagraph (a) above.

(Title 18, United States Code, Sections 2332g(a)(1), (b)(2), (c)(1), & 3238.)

COUNT TWO

(Attempt To Acquire And Transfer Anti-Aircraft Missiles)

The Grand Jury further charges:

4. From at least in or about May 2012, up to and including in or about October 2012, in an offense begun and committed outside of the jurisdiction of any particular State or district of the United States, REZA OLANGIAN, a/k/a "Raymond Avancian," a/k/a "Ray," the defendant, a United States national, who will be first brought to and arrested in the Southern District of New York, knowingly and willfully did attempt to acquire, transfer directly and indirectly, receive, possess, import, and use (1) an explosive and incendiary rocket and

missile that is guided by any system designed to enable the rocket or missile to seek and proceed toward energy radiated and reflected from an aircraft and toward an image locating an aircraft, and otherwise direct and guide the rocket and missile to an aircraft; (2) a device designed and intended to launch and guide said rocket and missile; and (3) a part and combination of parts designed and redesigned for use in assembling and fabricating said rocket, missile, and device; to wit, OLANGIAN attempted to acquire and transfer surface-to-air missile systems for the purpose of conveying them to Iran, in violation of Title 18, United States Code, Section 2332g.

(Title 18, United States Code, Sections 2332g(a)(1), (b)(2), (c)(1), 3238, & 2.)

COUNT THREE

(Conspiracy to Violate the International Emergency Economic Powers Act ("IEEPA"))

The Grand Jury further charges:

5. From at least in or about May 2012, up to and including in or about October 2012, in an offense begun and committed outside of the jurisdiction of any particular State or district of the United States, REZA OLANGIAN, a/k/a "Raymond Avancian," a/k/a "Ray," the defendant, who will be first brought to and arrested in the Southern District of New York, and others known and unknown, unlawfully, willfully, and knowingly did

combine, conspire, confederate, and agree together and with each other to violate, and to cause a violation of, licenses, orders, regulations, and prohibitions issued under the International Emergency Economic Powers Act, Title 50, United States Code, Sections 1701 to 1707, and Part 560 of Title 31, Code of Federal Regulations.

6. It was a part and an object of the conspiracy that REZA OLANGIAN, a/k/a "Raymond Avancian," a/k/a "Ray," the defendant, and others known and unknown, would and did export, reexport, sell, and supply, and cause to be exported, reexported, sold, and supplied, directly and indirectly, by a United States person, to wit, OLANGIAN, goods, technology, and services, to wit, weapons, aircraft, and aircraft parts to Iran, without obtaining the required approval from the Department of Treasury, Office of Foreign Asset Control ("OFAC"), in violation of Title 50, United States Code, Sections 1701 to 1707, and Title 31, Code of Federal Regulations, Sections 560.203 and 560.204.

Overt Acts

7. In furtherance of the conspiracy and to effect the illegal object thereof, REZA OLANGIAN, a/k/a "Raymond Avancian," a/k/a "Ray," the defendant, and others known and unknown, committed the following overt acts, among others:

a. On or about May 2, 2012, OLANGIAN traveled to Kiev, Ukraine, and met with the CS and other individuals.

b. On or about May 2, 2012, OLANGIAN discussed with the CS specifications for aircraft parts that OLANGIAN wanted to acquire.

c. On or about August 21, 2012, OLANGIAN sent an e-mail to the CS, emphasizing the urgent need to consummate the transaction, and stating, among other things, that OLANGIAN had "a signed contract to provide the goods."

(Title 50, United States Code, Section 1705; Title 18, United States Code, Section 3238.)

COUNT FOUR

(Attempt to Violate IEEPA)

The Grand Jury further charges:

8. From at least in or about May 2012, up to and including in or about October 2012, in an offense begun and committed outside of the jurisdiction of any particular State or district of the United States, REZA OLANGIAN, a/k/a "Raymond Avancian," a/k/a "Ray," the defendant, who will be first brought to and arrested in the Southern District of New York, unlawfully, willfully, and knowingly did attempt to violate, and did attempt to cause a violation of, licenses, orders, regulations, and prohibitions issued under the International Emergency Economic Powers Act, Title 50, United States Code, Sections 1701 to 1707, and Part 560 of Title 31, Code of Federal Regulations, to wit, OLANGIAN attempted to export, reexport, sell, and supply, and

attempted to cause to be exported, reexported, sold, and supplied, directly and indirectly, by a United States person, to wit, OLANGIAN, goods, technology, and services, to wit, weapons, aircraft, and aircraft parts to Iran, without obtaining the required approval from OFAC, in violation of Title 50, United States Code, Sections 1701 to 1707, and Title 31, Code of Federal Regulations, Sections 560.203 and 560.204.

(Title 50, United States Code, Section 1705; Title 18, United States Code, Sections 3238 & 2.)

FORFEITURE ALLEGATION

9. As a result of committing the offenses charged in Counts One through Four of this Incitement, REZA OLANGIAN, a/k/a "Raymond Avancian," a/k/a "Ray," the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One through Four, including but not limited to a sum of money representing the amount of proceeds obtained as a result of the offenses.

Substitute Assets Provision

10. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

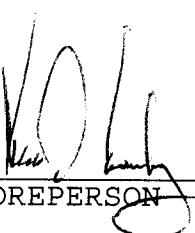
- (1) cannot be located upon the exercise of due

diligence;

- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

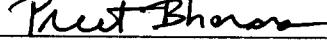
it is the intent of the United States, pursuant to 18 U.S.C. § 981(a)(1)(C), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981(a)(1)(C);
Title 28, United States Code, Section 2461.)



FOREPERSON

19 Oct 2012



PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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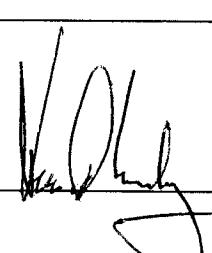
12 Cr.

(18 U.S.C. §§ 2332g, 3238, 2;
50 U.S.C. § 1705; 31 C.F.R.
§§ 560.203, 560.204)

PREET BHARARA

United States Attorney.

A TRUE BILL


Foreperson.